

AMENDED IN SENATE AUGUST 22, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1799

Introduced by Assembly Member ~~Umberg~~ McCarthy
(Coauthors: Assembly Members Daucher, Huff, Saldana, Spitzer,
and Vargas)
(Coauthors: Senators ~~Dunn~~ Bowen, Dunn, and Kehoe)

January 9, 2006

An act to amend Section 13001 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1799, as amended, ~~Umberg~~ McCarthy. Elections: payment of expenses.

Existing law provides that all expenses authorized and necessarily incurred in the preparation for and conduct of elections are to be paid from the county treasuries.

This bill would provide, *until January 1, 2007*, that expenses incurred on or after January 1, 2006, for elections proclaimed by the Governor to fill a vacancy in the office of State Senator or Member of the Assembly, or to fill a vacancy in the office of United States Senator or Representative in Congress, are to be paid by the state. Where an election proclaimed by the Governor is consolidated with a local election, the state would pay only those additional expenses directly related to the election proclaimed by the Governor.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13001 of the Elections Code is
2 amended to read:

3 13001. (a) Except as provided in subdivision (b), all expenses
4 authorized and necessarily incurred in the preparation for and
5 conduct of elections as provided in this code shall be paid from
6 the county treasuries, except that when an election is called by
7 the governing body of a city the expenses shall be paid from the
8 treasury of the city. All payments shall be made in the same
9 manner as other county or city expenditures are made. The
10 elections official, in providing the materials required by this
11 division, need not utilize the services of the county or city
12 purchasing agent.

13 (b) All expenses authorized and necessarily incurred on or after
14 January 1, 2006, in the preparation for and conduct of elections
15 proclaimed by the Governor to fill a vacancy in the office of
16 Senator or Assembly Member in the Legislature, or to fill a
17 vacancy in the office of Senator or Representative in the United
18 States Congress, shall be paid by the state. If an election
19 proclaimed by the Governor to fill a vacancy in an office
20 specified by this subdivision is consolidated with a local election,
21 only those additional expenses directly related to the election
22 proclaimed by the Governor shall be paid by the state.

23 (c) *This section shall remain in effect only until January 1,*
24 *2007, and as of that date is repealed, unless a later enacted*
25 *statute, that is enacted before January 1, 2007, deletes or extends*
26 *that date.*

27 SEC. 2. This act is an urgency statute necessary for the
28 immediate preservation of the public peace, health, or safety
29 within the meaning of Article IV of the Constitution and shall go
30 into immediate effect. The facts constituting the necessity are:

31 In order to relieve counties of responsibility for expenses
32 incurred in 2006 for the preparation for and conduct of elections

1 proclaimed by the Governor for specified purposes, it is
2 necessary that this bill go into immediate effect.

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